

### **REMARKS**

These remarks are submitted in response to the Office Action of May 23, 2007 (hereinafter Office Action). As this response is timely filed within the three-month statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims 19 and 26 were rejected under 35 U.S.C. § 112, first paragraph. Claims 19 and 26 were rejected under 35 U.S.C. § 112, second paragraph. Claims 19 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,405,126 to Palomo, *et al.* (hereinafter Palomo) in view of U.S. Patent 6,405,123 to Rennard, *et al.* (hereinafter Rennard) and further in view of U.S. Patent 6,173,277 to Ashby, *et al.* (hereinafter Ashby).

### **Rejections Under §112**

In this response, Applicants have provided amendments to remove the terms deemed in the Office Action to be confusing. Applicants therefore respectfully request that the rejections under § 112 be withdrawn.

### **Amendments to the Claims**

Although Applicants respectfully disagree with the rejections asserted in the Office Action based on the cited references, Applicants have nonetheless amended the claims so as to expedite prosecution by further emphasizing certain aspects in the claims. Applicants respectfully assert, however, that the amendments should not be interpreted as the surrender of any subject matter. Applicants are not conceding by these amendments that any previously submitted claims are not patentable over the references of record. Applicants' present claim amendments are only submitted for purposes of facilitating expeditious prosecution of the present Application. Accordingly, Applicants reserve the right to pursue any previously submitted claims in one or more continuation and/or divisional patent applications.

In this response Applicants have amended the claims to further emphasize certain aspects of the claims. In particular, Claims 19 and 25 have been amended to recite the further limitation that the navigation information to be transferred to the user's vehicle is placed in a queue to while waiting for the user's navigation device to connect to a network that enables transfer of the information. The amendment is fully supported in the Specification. (See, e.g, page 4, lines 5-11). No new subject matter has been added by this amendment.

**The Claims Define Over the Cited References**

In the Office Action, the claims were rejected as being unpatentable over Palomo in view of Rennard and Ashby. Applicants respectfully disagree and submit that the references of record fail to disclose, suggest, or render obvious each and every element of Claims 19 and 25.

In particular, Palomo and Rennard fail to disclose the step of placing the navigation information in a queue or automatically retrieving the information when the device connects to a network. Palomo only discloses that information is retrieved in response to a specific user act for doing so. For example, the user can insert a disk or other storage device into the navigation device or request that a remote user access the device and upload the information. Rennard only discloses that information can be retrieved once the user goes through a process of logging into the navigation system and requests that pre-entered navigation information be uploaded to the user's device. Nowhere does Palomo or Rennard disclose or suggest that the upload process be automated by adding the information to a queue that then automatically uploads the information upon detection of the navigation device. Furthermore, Ashby fails to disclose such a limitation.

In contrast, the claims, as amended, recite the limitation that the navigation information is placed in a queue and is automatically uploaded when the network detects

the presence of the device. Such a configuration is advantageous in that the user need not go spend time required by a login procedure or have to operate a disk or other storage device. Rather, with Applicants' invention the system can automatically upload the user's itinerary for use.

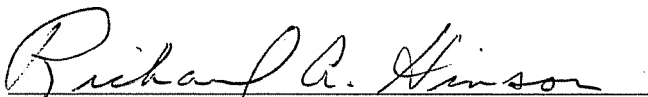
Accordingly, Palomo, Rennard, and Ashby, alone or in combination with any reference or record, each fails to disclose or suggest each and every limitation of Claims 19 and 25, as amended. Applicants therefore submit that Claims 19 and 25, as amended, define over the references of record.

### CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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